

# AIR MAIL

Rec'd PCT/PTO 19 JUL 2004

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

14725-8US MG/al

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/500856**

INTERNATIONAL APPLICATION NO.

PCT/CA03/00088

INTERNATIONAL FILING DATE

January 23, 2003

PRIORITY DATE CLAIMED

January 24, 2002

TITLE OF INVENTION

BIODEGRADABLE FLEXOGRAPHIC INK

APPLICANT(S) FOR DO/EO/US

BioMatera Inc. et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Copy of the International Search Report; Copy of Form PCT/IB/308; Copy of a change of address of Applicant BIOMATERA INC.; Copy of Form PCT/IB/306.

INTERNATIONAL APPLICATION NO.  
PCT/CA03/00088

ATTORNEY'S DOCKET NUMBER  
14725-8US MG/al

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

**\$ 920.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable)	+ \$290.00
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\$ 86.00

**TOTAL OF ABOVE CALCULATIONS**

\$ 1006.00

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**\$ -503.00**

**SUBTOTAL**

\$ 503.00

Processing fee of **\$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

**\$**

**TOTAL NATIONAL FEE**

**\$ 503.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$

**TOTAL FEES ENCLOSED**

**\$ 503.00**

**Amount to be refunded:**

9

**charged:**

9

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-5113 in the amount of \$ 503.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-5113. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

**OGILVY RENAULT**  
Suite 1600  
1981 McGill College  
Montréal, Québec, Canada  
H3A 2Y3

**Customer Number: 020988**

**SIGNATURE**

**Paul Marcoux**

NAME \_\_\_\_\_

24,990

REGISTRATION NUMBER

Patent  
Attorney Docket No. 14725-8US MG/al

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Laurent Masaro et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/CA03/00088

INTERNATIONAL FILING DATE: January 23, 2003

BIODEGRADABLE FLEXOGRAPHIC INK

**REQUEST FOR CONSIDERATION OF DOCUMENTS CITED IN  
INTERNATIONAL SEARCH REPORT**

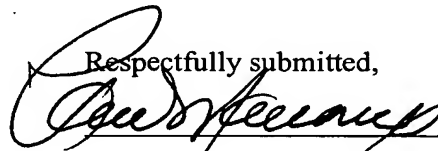
Commissioner for Patents  
Washington, DC 20231  
U. S. A.

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Date: July 15, 2004

Respectfully submitted,



Paul Marcoux  
Registration No. 24,990

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Rec'd PCT/PTO 19 JUL 2004

**10/500856**

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SENT BY FAX & COURIER

Québec, July 14, 2004

International Preliminary Examining Authority  
European Patent Office, DG-2 Erhardtstrasse 27  
D-80331 München - GERMANY

Dear Sir or Madam:

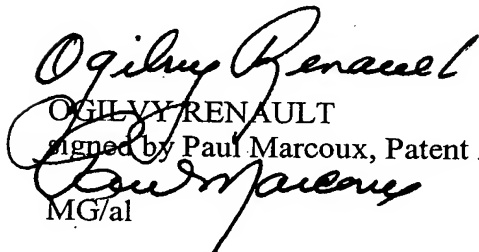
**RE: International Patent Application**  
**No. PCT/CA03/00088 - January 23, 2003**  
**BIODEGRADABLE FLEXOGRAPHIC INK**  
**Applicants: BioMatera Inc. et al.**  
**Our reference: 14725-8PCT MG/al**

The address of Applicant BIOMATERA INC. has changed for the following:

3760, rue Panet  
Jonquière (Québec)  
Canada G7X 0E5

Confirmation of receipt of the above would be appreciated.

Respectfully,

  
OGILVY/RENAULT  
Signed by Paul Marcoux, Patent Agent  
MG/al

Attachment EPO Form 1037

c.c. International Bureau

Barristers & Solicitors  
Patent & Trade-Mark Agents

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